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FILED

S. Smicko  
DEPUTY CLERK

IN THE SUPERIOR COURT OF STATE OF ARIZONA

IN AND FOR THE COUNTY OF YAVAPAI

STATE OF ARIZONA,

Plaintiff,

v.

STEVEN CARROLL DEMOCKER,

Defendant.

Cause No. P1300CR20081339

Division 6

STATE'S RESPONSE TO DEFENDANT'S  
MOTION *IN LIMINE* TO PRECLUDE  
PRIOR ACT EVIDENCE PURSUANT TO  
RULE 404(b)

The State of Arizona, by and through Sheila Sullivan Polk, Yavapai County Attorney, and her deputy undersigned, hereby submits its Response to Defendant's Motion *in Limine* to Preclude Prior Act Evidence Pursuant to Rule 404(b). The State respectfully requests the Court schedule a time where the admissibility of the following may be determined.

1. Defendant's extramarital affairs.
2. Defendant's sex addiction.
3. Defendant's computer searches related to killing and murder.
4. Defendant's false and misleading statements to the court in his divorce case.
5. Defendant's hiding of assets during the divorce proceedings in order to prevent the assets from being equally divided.
6. Defendant's plan to flee prior to his arrest.

7. Defendant's use of human growth hormone.
8. Defendant's clients' dissatisfaction with his handling of their accounts.
9. Defendant's claim that he killed the neighbor's cat.
10. Defendant's dysfunctional childhood.
11. Defendant's attempt to influence witnesses.

Pursuant to *Ariz. R. Evid.*, Rule 404(b), "[e]xcept as provides in rule 404(c) evidence of other crimes, wrongs, or acts is not admissible to prove the character of a person in order to show action in conformity therein. It may, however, be admissible for other purposes, such as motive, opportunity, intent, preparation, plan, knowledge, identity, or absence of mistake or accident." Therefore, the State requests that Court schedule a time where the admissibility of the above may be determined.

RESPECTFULLY SUBMITTED this 4<sup>th</sup> day of January, 2010.

Sheila Sullivan Polk  
YAVAPAI COUNTY ATTORNEY

By: Joseph C. Butner  
for Joseph C. Butner  
Deputy County Attorney

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1 COPIES of the foregoing delivered this  
2 4th day of January, 2010 to:

3 Honorable Thomas J. Lindberg  
4 Division 6  
5 Yavapai County Superior Court  
6 (via email)

7 John Sears  
8 107 North Cortez Street, Suite 104  
9 Prescott, AZ 86301  
10 Attorney for Defendant  
11 (via email)

12 Larry Hammond  
13 Anne Chapman  
14 Osborn Maledon, P.A.  
15 2929 North Central Ave, 21<sup>st</sup> Floor  
16 Phoenix, AZ  
17 Attorney for Defendant  
18 (via email)

19 By: Deb Currell  
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